



GOVERNOR'S TASK FORCE ON HUMAN TRAFFICKING

DRAFT MINUTES

Wednesday, September 25th, 2013

9:00 AM

100 N. 15TH AVENUE, 3rd FLOOR CONFERENCE ROOM

Phoenix, Arizona 85007

A public meeting of the Governor's Task Force on Human Trafficking was convened on September 25th, 2013 in the 3rd Floor Conference Room, 100 N. 15th Avenue, Phoenix, Arizona 85007. Notice having been duly given. Present and absent were the following members of the Task Force.

Members Present

Cindy McCain (Co-Chairperson)
Gil Orrantia (Co-Chairperson)
Lea Benson
Doug Coleman
Adam Driggs
Doug Ducey
Jim Gallagher

Larrie Fraley
Robert Halliday
Bill Montgomery
Andrew Pacheco
Bill Ridenour
Brian Steele
Grant Woods

Members Absent

Sheila Polk

Staff Present

Jamie Bennett, Governor's Office
Lindsay Scornavacco, Governor's Office

1. Call to Order

Gil Orrantia welcomed everyone to the Governor's Task Force on Human Trafficking meeting. The meeting was called to order at 9:13 a.m.

Cindy McCain thanked everyone for their work on the Task Force. She expressed gratitude for the opportunity to work on such an important issue that will affect future generations in Arizona. Mrs. McCain specifically thanked Claire Merkel from the McCain Institute for acting as Mrs. McCain's point person and for communicating with stakeholders.

Mr. Orrantia shared that serving on the Task Force has been an incredible personal experience and that he is committed to assist on combatting this issue in any way he can. He stated protecting children is one of the most important issues to be worked on. He continued that there is a lot of work to be done beyond this Task Force and reiterated the need for an ongoing entity to examine complex issues further.

Mr. Orrantia thanked the staff from the Governor's Office for their work facilitating the Task Force. He stated he looks forward to sending the Task Force recommendations to the Governor.

Mrs. McCain highlighted two audience members from Indiana present to share their experiences regarding their anti-trafficking efforts during the Indiana Super Bowl. She named Indiana the gold standard on human trafficking for large, public events.

Mr. Orrantia added that he and Mrs. McCain were able to meet with them the day before to learn best practices for large-scale sporting events and also on best practices for long-term policy implementation.

2. Approval of Minutes

Mr. Orrantia asked for a motion to approve the meeting minutes from the September 11th meeting. Robert Halliday moved that the meeting minutes be approved. Bill Montgomery seconded the motion. All present members voted aye.

3. Remarks from Governor Janice K. Brewer

Mrs. McCain introduced Arizona Governor Janice K. Brewer. She shared that when she brought the issue in front of the Governor, the Governor did not hesitate to act on the issue.

Governor Brewer thanked the Task Force for dedicating so much time to this very important issue. She stated the efforts of the Task Force members will make a big difference in Arizona and she looks forward to receiving their recommendations on law, administrative practice and law enforcement training to combat human trafficking.

Governor Brewer affirmed that Arizona cannot allow this unthinkable, evil practice to continue. She expressed her commitment to finding and enacting solutions. Governor Brewer thanked the Task Force again for stepping up and doing what is right for the state of Arizona.

4. Presentation from the Indiana Attorney General

Mr. Orrantia introduced Indiana Attorney General Greg Zoeller.

Greg Zoeller expressed it was a pleasure to have the Task Force's co-chairs out to visit and that it was a nice opportunity to share things Indiana did leading up to the 2012 Super Bowl. He stated the people of Indiana pride themselves on their Hoosier hospitality, but there are some people that are not welcome and certain things that cannot be tolerated. Mr. Zoeller explained that other things come along with big sporting events. The Super Bowl is a unique event that has the world stage. Indiana recognized that when a big party is thrown, various groups of people will show up. Mr. Zoeller stated it was Indiana's goal to make it clear that anyone with criminal interests shouldn't bother to travel to Indiana for the Super Bowl.

Mr. Zoeller told the Task Force not to wait and see what happens, and reminded them there is a year and a half to prepare for the Super Bowl in Arizona. He shared Indiana had less than 30 days to enact statutes to fill gaps in the law. These gaps hindered prosecution in Indiana because prosecutors had to prove victims were trafficked against their will even though the victims were younger than the age of consent. This did not make sense since being younger than the age of consent by definition is against the victim's will. He stated he was very proud of the different stakeholders that came together, including law enforcement, child protective services, the division for internet crimes against children, non-governmental organizations, the Indiana State Legislature and former Governor Mitch McConnell, to fix a criminal statute in less than 30 days. He continued that this collaborative work did not end with the Super Bowl. Additionally, programs reached out to hotels, cleaning staff and cab drivers.

Mr. Zoeller cautioned the Task Force that this issue is not a local criminal enterprise, but a very well-organized one. The crime itself is renewable; so must be the efforts to make Indiana an unwelcome place for human traffickers.

Mr. Zoeller introduced Abbey Kuzma, the Director of Consumer Protection and senior staff for the Human Trafficking Task Force.

Abbey Kuzma expressed her excitement to be before the Task Force and share what they did in Indiana. She stated the first step is recognizing that human trafficking is a huge problem in the United States. Close to 300,000 children are exploited each year in the commercial sex industry. The average age that children are brought into this life is between 12 and 14. 83% of the victims found in the United States are U.S. citizens. Ms. Kuzma said these numbers came from Indiana's Department of Justice and the statistics are shocking to a lot of people.

Ms. Kuzma explained the reason this happens to so many American children is trauma. Traumatization as a child from exposure to sexual abuse, physical abuse, alcoholism and drug addiction, called "adverse child experiences", make a child much more vulnerable to being trafficked. She identified these affected children are often the same children found in child protective services. Many of the children that fall victims to human trafficking are also runaways.

Ms. Kuzma stated problems do not only stem from the Super Bowl or other large sporting events. Any event where lots of men come together for a party causes a statistical uptick in the demand for commercial sex. She told the Task Force that in the December before the Super Bowl there were less than eight ads on Backpage.com advertising for commercial sex. The day before the Super Bowl there were 129 ads on Backpage.com for Indianapolis. Ms. Kuzma showed the Task Force an image of a young girl that was used for an online advertisement. The young girl is featured in her underwear wearing a blonde wig. The ad used words such as "new" and "fresh" to indicate the girl is very young. The photo also displayed bruises on the girl's legs and track marks on her arms. Ms. Kuzma shared these are common features because they can be exciting for certain individuals.

Ms. Kuzma shared that there were 68 commercial sex arrests were made before and on the 2012 Super Bowl. Of that number, four girls were identified as sex trafficking victims. All of the girls except one escaped and ran away after they were identified. She explained that Indiana does not have a service provider such as StreetlightUSA. She reinforced that if the right services are not available to serve children after identification they often become re trafficked.

Ms. Kuzma advised the Task Force to use the Super Bowl as a springboard for community interest and excitement. This can help ongoing efforts after the Super Bowl. Before the Super Bowl in Indiana, they were able to train 4,000 people. She stated that now that number is nearly double. Ms. Kuzma also encouraged the Task Force that a lot of money is not needed to do a good job. Almost 19,000 awareness materials were distributed by volunteers. Small grants from agencies and donations from two area churches were enough to cover cost the materials.

Mr. Zoeller stated the crime of human trafficking has to be put into context without sensationalizing the crime. When most people hear human trafficking, they associate it with an international crime. He continued that there are people in the world that will say this is not happening. Mr. Zoeller enforced that the issue of human trafficking is bad and it is real.

Ms. Kuzma presented information on Indiana's anti-demand campaign. This campaign allowed people to recognize the link between commercial sex and human trafficking. She expressed that until something is accomplished on the demand side, everyone will be working in circles.

Mr. Zoeller added that Indiana enlisted the help of some Indiana Colts football players for the campaign. He continued that the campaign was aimed at anti-demand for prostitution across the board. There would not be a supply if it were not for the demand. Mr. Zoeller shared that the image of the football players standing to say this is no longer something to joke about was powerful. It sent the message that this behavior is no longer socially acceptable. Attitudes need to be changed.

Ms. Kuzma explained that traffickers will make hotel reservations a year ahead of time to be able to advertise young girls online for these large events. She continued that the scary thing about virtual brothels is the anonymity. It is very easy for a john to communicate with the trafficker to get the time, date and location of where they need to be to meet the girl. Traffickers will sell girls in 15-20 minute increments during this period of time and will earn a lot of money. Ms. Kuzma stated human trafficking is a \$32 billion industry worldwide, the second highest to international drug trafficking.

Ms. Kuzma concluded her presentation stating that outreach and public awareness are critical. People need to know what to look for to be able to refer victims to the proper services and to get law enforcement involved. She emphasized that Indiana had a lot of work to do to fill in the gaps in statute, but that Arizona has the opportunity to begin with a great law instead. Ms. Kuzma expressed her support for the Uniform Act on Prevention of and Remedies for Human Trafficking (Uniform Act) that the Task Force has been studying. Ms. Kuzma also encouraged Arizona to have a plan in place before the Super Bowl. She explained that law enforcement is busy with normal crime and other aspects that come with the Super Bowl such as crowd control. To make their efforts more effective and to target their resources, Indiana divided volunteers into the following committees: training & awareness, victim services, law enforcement and protocol.

Larrie Fraley inquired about Indiana's relationship with Backpage.com.

Mr. Zoeller explained that he along with other attorneys general have been in communication with Backpage.com through letters. He described their progress as remarkably disappointing. The rest of the criminal enterprises operate below the surface; here is one place where it rises to the surface. Mr. Zoeller stated he understands they have the right to commercial free speech, but also stated they are facilitators of the crime. He explained that law enforcement were able to call the numbers on some of the ads they found and jam the signal so as to prevent johns from connecting with traffickers.

Ms. Kuzma told the Task Force that Craigslist dropped the sale of sexual services, but Backpage.com refused to do it. Backpage.com is not the only site that facilitates this crime, but they are the largest. 267 minors have been identified as trafficking victims on Backpage.com; a large number remain unidentified. Ms. Kuzma explained that though trafficking victims are being identified, these girls have already been victimized. There also needs to be preventative measures in place to keep girls from being victimized in the first place.

Mr. Montgomery explained that it is struggling to set up a system that recognizes these girls as victims, but also uses the judicial system to keep them in custody and give them services.

Ms. Kuzma responded that Indiana also struggles with this. There are options for probation or child services. She stated that human trafficking victims experience trauma different than any other abuse. Ms. Kuzma emphasized the need to rethink the general approach to these victims because they are so different.

Mr. Montgomery asked if Indiana was referring victims to the delinquency system.

Ms. Kuzma answered yes. Historically, the court system and child protective services system have not identified these girls as victims. Now, when looking back at their history of trauma they are identified. Across the county child protective services programs are recognizing they did not realize they held a high population of trafficking victims. Ms. Kuzma added that labor trafficking also happens and that everyone should keep their eyes open to it.

Mrs. McCain asked Ms. Kuzma to expand on the training they provided and on their anti-demand campaign.

Ms. Kuzma responded that Indiana wanted to target first responders and the people mostly likely to encounter a trafficking victim. Arizona and Indiana have similar issues; victims will be domestic and most likely runaways. There was training for law enforcement, prosecutors and judges. There was also training for hospital workers and EMT's. Ms. Kuzma explained trafficking is a very violent lifestyle and victims often end up in hospitals. Indiana also has a poor public transportation system. For that reason, they targeted hotels and cabs. The Super Bowl host committee had mandatory training for all participating hotels and cabs and allowed ten minutes to be dedicated to human trafficking training. Thousands were able to be trained in this manner. Ms. Kuzma also told that Indiana used the Polaris hotline phone number for their campaign. When a girl sees the phone number or takes a shoe card, she may be unable to make a phone call. A victim may no longer be in Phoenix when she is able to make a call, and this hotline serves as a national number. They also created a Myth versus Truth campaign. Ms. Kuzma encouraged the Task Force to use any materials from the campaign they liked. The public campaign had facts such as the average age of death of a

trafficking victim is 34 years old. These numbers give the public an idea of how violent and horrific the lifestyle is. The links between trafficking and drugs and gang life are very real.

Mr. Montgomery asked if they received any assistance from the NFL.

Mr. Zoeller stated in closed door meetings with the NFL there was an understanding that they were willing to work with them if they agreed not to spoil their party. They run a multi-billion dollar industry and want to highlight the big game. The NFL placed prevention at the forefront to prevent trafficking from spoiling the party. He continued that the NFL appreciated that they were not going to make a big scene or protest during the game.

Ms. Kuzma recalled explaining to the NFL that human trafficking happens all the time and that they are not specifically targeting the Super Bowl.

Senator Adam Driggs asked what law enforcement did during the Super Bowl and if they had any arrests or convictions.

Ms. Kuzma answered they had 68 commercial sex arrests. Law enforcement ran sting operations and monitored the internet for hot spots. Volunteer groups came in to assist law enforcement since they also had to deal with normal crime and crowd control. She continued that law enforcement saw chatter on the internet about traffickers pulling out of Indiana because of the efforts.

Mr. Fraley asked about hotel participation.

Ms. Kuzma responded that 99 of the 100 hotels participated in training. They took the ECPAT pledge and allowed materials to be brought in. She explained they built relationships with these hotels and are invited back periodically for training.

Mr. Zoeller added that an arrest in a hotel does harm to its image, so they were willing to help and be supportive. If they received resistance from any one hotel, there may be a more visible arrest that occurs. Hotels do not want bad press and that can be a valuable tool.

Bill Ridenour asked what has been most successful and if that success can be measured.

Ms. Kuzma answered that training was most effective. It can be measured based on the frequency of reported cases. She explained these were not just tips, but actual generated cases that increased in frequency. Following the Super Bowl, there was one reported case a week. Now there are two a month. This is a substantial increase, especially since the victims of this crime are hidden.

Robert Halliday asked how many of the 68 arrests were the girls found on Backpage.com.

Ms. Kuzma responded she did not know.

Grant Woods thanked the presenters for their leadership on the issue. He commented that the attorneys general have been particularly effective in the area of human trafficking. He also noted that Arizona's Attorney General is committed to this issue, as demonstrated by his representative on the Task Force, Andrew Pacheco. Mr. Woods shared the owner of the Arizona Cardinals is a former federal prosecutor and probably would be supportive of a campaign.

Mr. Woods explained there are two schools of thought on this issue. One says the victim should never be charged because the problem is unique and they need protection. The other, represented by the Uniform Act, favors an affirmative defense of being the victim of a crime to avoid criminal conviction and to be diverted. He asked if Mr. Zoeller supported a policy of never charging a girl.

Mr. Zoeller responded that he likes the idea of an affirmative defense. This requires some burden of proof. He explained in these cases that may mean requiring the victim to assist law enforcement in the case against their trafficker. This helps to avoid the continuation of the problem.

Ms. Kuzma added that in Indiana there is discretion and it is protocol not to charge the victims.

Mr. Woods asked their opinion on requiring government identification for individuals posting on websites and for every person depicted in a photo before the ad is accepted.

Mr. Zoeller answered that is the direction in which they are headed.

Representative Doug Coleman inquired about Indiana's sentencing guidelines for minors.

Mr. Zoeller responded that he would be happy to get Mr. Coleman more information.

5. Short Break

Mrs. McCain and Mr. Orrantia decided to work through the scheduled break in the interest of time.

6. Adoption of the Final Recommendations

Mr. Woods thanked the co-chairs for their work. He also thanked the Governor and her staff, stating that the Governor's commitment is essential to success. He continued that the Governor's commitment is not surprising and that he is very grateful for it. Mr. Woods stated the key area moving forward is finding out how government can interact with these girls and provide them with services and tools they need to make a different choice for their lives. He commented he does not think there should be a distinction regarding whether or not a john thought the girl was of age. He compared this defense to someone molesting a child and saying he or she thought the child was older. He explained he does agree there should be varying levels of sentencing to allow for greater sentences as the child is younger. Mr. Woods continued that he does not feel that giving blanket immunity from being charged to victims will work at this point in time. There is a lot of training left to be done on interacting with victims. He explained he likes the affirmative defense offered in the Uniform Act. Regarding Backpage.com, Mr. Woods stated they are picked on because they are the biggest and they are from Arizona. He continued they need to get out of the business of adult services. They know it is wrong and they profit from it. He warned that if they do not they will eventually be prosecuted for participating in the crime. Mr. Woods stated these were strong words, but he believes them as a former prosecutor. Arizona has not been bashful on challenging the constitution in court and Mr. Woods stated that should continue regarding this issue. He offered the

recommendation that internet sites should not be able to post ads or pictures without government issued identification.

Mr. Orrantia stated that recommendation has been added to the draft report and is listed as recommendation number 16. He told the Task Force that recommendation number nine and 16 had been added at the request of Mr. Woods for the Task Force's consideration.

Mr. Woods also recommended a requirement to verify licenses of those purchasing ads for services such as massage.

Mr. Montgomery stated the phrase about granting immunity should be struck because everyone seems to be in agreement that law enforcement does need some element of control over the victims initially. He supported recommendation number nine.

Andrew Pacheco stated a prosecutor will always have the discretion to grant immunity and agreed that language was not needed. He continued that he wholeheartedly supports the recommendations made by Mr. Woods. Mr. Pacheco suggested that language should be added to recommendations number one and number 12 that offers "to consider" these recommendations. He explained he believes this new statutory language is not necessary. He is not in favor of opening the forfeiture statutes.

Mr. Fraley stated no one more than him would like Backpage.com to be shut down, but also recognized them as a tool for law enforcement. He expressed concern that Backpage.com would move offshore and hinder the ability for Arizona law enforcement to use them as a tool.

Mr. Orrantia responded he believes in action in lieu of inaction because of something that *may* happen.

Mr. Montgomery added that if Backpage.com were to move offshore, the efforts of Arizona law enforcement would not be affected at all. He reminded the Task Force that even though Backpage.com has suggested they assist law enforcement, they have yet to participate in a single case.

Lieutenant Gallagher stated Mr. Fraley's point has been a point of discussion before, but that his unit checks a website housed in an uncooperative country every single day. Lt. Gallagher reinforced that the point is a valid one, but that they will be able to make it work.

Mr. Fraley answered that after hearing from the experts he is supportive of the recommendation.

Brian Steele commented that the purpose of recommendations number one and number 12 would improve Arizona's grade with Polaris.

Mr. Montgomery responded he and Mr. Pacheco have been working with Polaris to give Arizona additional credit for current statute. He added that Mr. Woods and Mr. Pacheco were correct in that prosecutors always have the tools to grant immunity. He recommended striking recommendation number 10. There was no opposition to this recommendation.

Mr. Fraley moved for the final report and recommendations to be adopted.

Mr. Ducey seconded the motion.

All members voted aye. The report was adopted.

7. Call to the Public

Brenda Gifford, from New Mercy House.org, distributed an academic thesis on human trafficking to the Task Force.

Kimberly Klein, from the O'Connor House SAFE Action Project thanked the Task Force on behalf of the nonprofits.

Kathleen Winn, from the Arizona Attorney General's Office, spoke about giving informative presentations around the state. She shared that she was invited to a school to give a presentation because an 8th grader had been trafficked and was recruiting other students. She asked the Task Force to continue to use her and the Attorney General's Office as a resource.

Reem Constantine, from International Rescue Committee asked that attention be given to international victims and labor victims. She explained that many have talked about training hotel staff, but that often the hotel staff are the ones being trafficked.

Dave Ryan, from Valley Interfaith Project, gave the Task Force an example of community engagement. He shared they would be hosting a community discussion on human trafficking on Monday September 30th at 6:30 p.m.

Carolyn Jean Jones, from StreetlightUSA, stated that as a survivor she felt she was represented very well in this meeting. She explained that these girls need to be shown a solution. The only reason she holds herself accountable is because she was held accountable. She continued that there is a point where one stops being the victim and becomes a survivor. After that, one must accept responsibility for their actions.

8. Closing Statements

Mr. Orrantia thanked everyone for the opportunity and offered his service to anyone on the Task Force. He stated it was a joyous experience working with Mrs. McCain and that he is excited to get the recommendations to the Governor.

Mrs. McCain thanked the Task Force for their efforts.

9. Adjournment

Mr. Orrantia adjourned the meeting at 11:17 a.m.